UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,764	12/11/2003	William Kress Bodin	AUS920030835US1	1941

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EXAMINER
PATEL, MANGLESH M

ART UNIT	PAPER NUMBER
2178	

NOTIFICATION DATE	DELIVERY MODE
12/09/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

<table>
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10/734,764</td><td>Applicant(s)
BODIN ET AL.</td><td></td></tr>
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MANGLESH M. PATEL</td><td>Art Unit
2178</td><td></td></tr>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 September 2010</u>.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-24</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>8/9/10</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   This **FINAL Action** is in response to the amendment filed on 9/23/2010 and IDS filed

8/9/2010.

2.   In the amendment Claims 1-24 remain pending, with claims 1, 9, and 17 being the

independent claims.

Withdrawn Rejections

3.   The 35 U.S.C. 112 rejections of claims 1, 9 and 17 have been withdrawn in light of the

amendment.

Information Disclosure Statement

4.   The information disclosure statement (IDS) submitted on 8/9/2010 has been entered, and

considered by the examiner.

Claims Rejections – 35 U.S.C. 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign
country or in public use or on sale in this country, more than one year prior to the date of
application for patent in the United States.

6.   Claims 1-7, 9-15, and 17-23 remain rejected under 35 U.S.C. 102(b) as being anticipated

by Raman (U.S. Patent 5,748,186), issued May 5, 1998 [hereinafter "Raman"].

Regarding **Independent claim 1**, Raman teaches:

> *A method for creating a presentation document, the method comprising:*
>
> *creating, in dependence upon an original document, a structured document*
>
> *comprising one or more structural elements; and*

(See, Raman, col. 2, lines 18-35. See also, Raman, col. 3, lines 6-11, teaching retrieving a

document and converting the information to a "common intermediate representation" with a

structure of the information.)

> *creating a presentation grammar for the structured document, wherein the*
>
> *presentation grammar for the structured document comprises a data structure that*
>
> *includes grammar elements each of which includes a presentation action identifier, a key*
>
> *phrase for invoking a presentation action a structural element identifier for at least one*
>
> *structural element of the structured document and a parameter type to be used in parsing*
>
> *the received speech, wherein the parameter type identifies a type of a parameter, wherein*
>
> *the parameter is received from a user after the key phrase and controls presentation*
>
> *control instruction corresponding to the presentation action that is invoked by the user*
>
> *speaking the key phrase.*

(See, Raman, col. 6, lines 29-31, teaching that control signals can include recognized speech,

which inherently includes a grammar to be recognized. Further, see, Raman, claims 14 and 22,

teaching interactivity of the system accomplished using only speech. **See column 4, lines 10-30 "In addition, the presentation can momentarily pause on the links so that the user can select the link using a voice input unit" further stating "…interact with the forms using speech", Raman therefore discloses a parameter type to be used in parsing the received speech, for example the received speech is parsed and then the parameter type identifies a link for selection or a parameter type identifies a form component for selection and display.**

Regarding **dependent claim 2**, Raman teaches:

> *The method of claim 1 wherein creating a structured document further comprises inserting in the structured document structural element identifiers for the structural elements.*

(See, Raman, Col. 5, lines 21-32, teaching changing structural element identifiers, rendering methods, to accommodate different renderings. The various changed identifiers amounting to differing styles for the structured document.)

Regarding **dependent claim 3**, Raman teaches:

> *The method of claim 1 wherein creating a structured document further comprises converting existing structural element identifiers from the original document to structural element identifiers for the structural elements of the structured document.*

(See, Raman, col. 2, lines 18-34, and col. 3, line 6 through col. 4, line 76, teaching receiving original documents, e.g.: rendered in HTML, which is a structured document language, and parsing the data to a structured hierarchical attributed tree. See also, Raman, figure 3, element

330 identifying <title> and element 361 identifying <p> for paragraph.)

Regarding **dependent claim 4**, Raman teaches:

> *The method of claim 1 wherein creating a presentation grammar for the*
>
> *structured document comprises:*
>
> *identifying the content type of the original document;*

(It is noted that "identifying the content type of the original document" is disclosed as follows:

"identifying the content type may be carried out by identifying the content type in dependence

upon a filename extension. In other embodiments, identifying the content type is carried out by

identifying the content type in dependence upon document header elements." See, disclosure,

page `3, lines 17-21.

See, Raman, col. 5, lines 47-56, teaching retrieval, recognition, and presentation of an

HTML document, as an example of the invention. See also, Raman, col. 3, lines 6-8, teaching a

"recognizer 130" coupled to the receiver 120, to convert information 11 into a common

intermediate high-level logical data structure 200, the recognizer must inherently identify and

know the content type of the original document in order to process it. See also, Raman, figure 3,

element 330 identifying <title> and element 361 identifying <p> for paragraph.)

> *selecting, in dependence upon the content type, a full presentation grammar from*
>
> *among a multiplicity of full presentation grammars; and*

(See, Raman, col. 3, lines 8-20, teaching, for example, presentation of aural information by a

speech synthesizer, monitor, Braille and by animated cartoon. See also, Raman, col. 3, lines 30-

34, teaching the use of a voice input speech recognizer to control the presenter of the content

types.)

> *filtering the full presentation grammar into a presentation grammar for the*
>
> *structured document in dependence upon the structural elements of the structured*
>
> *document.*

(It is noted that filtering the full presentation grammar includes writing from the full presentation

grammar to the presentation grammar for the structured document each grammar element having

a structural element identifier of a structural element that occurs in the structured document.

Applicants' disclosure, page 3 lines 23-26.

See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation

grammar" to control the modality being used to control the presentation. See, Raman, col. 6,

lines 30-33, teaching that a control signal may include recognized speech as an input. See, also

Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may

be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5,

lines 38-46, teaching "navigational methods associated with objects allow the user to browse

through the text by taking into consideration the underlying structure of the document." And

see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation

using a plurality of user communication modalities according to the hierarchical attribute trees."

And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data.

For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **dependent claim 5**, Raman teaches:

> *The method of claim 4 wherein identifying the content type comprises identifying*
>
> *the content type in dependence upon a filename extension.*

(See, Raman, col. 3, lines 41-44, teaching recognizing file type by extension, i.e.: "html." See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by tags, such as <html>. See also, Raman, figure 3, element 330 identifying <title> and element 361 identifying <p> for paragraph.)

Regarding **dependent claim 6**, Raman teaches:

> *The method of claim 4 wherein identifying the content type comprises identifying*
>
> *the content type in dependence upon document header elements.*

(See, Raman, col. 4, lines 38-49, teaching receiving a source document by characters encoded as text as well as marks placed in the text to define the structure, and the "recognizer" to parse the character stream into fundamental source elements, for example, title, sections, sub-sections, paragraphs, sentences, links, forms and so forth. See also, Raman, col. 5, lines 47 through col. 6, line 4, teaching identification of the document by text element tags, such as <head>, <title>, <body> and <p>.)

Regarding **dependent claim 7**, Raman teaches:

> *The method of claim 4 wherein filtering the full presentation grammar comprises*
>
> *writing from the full presentation grammar to the presentation grammar for the*
>
> *structured document each grammar element having a structural element identifier of a*
>
> *structural element that occurs in the structured document.*

(See, Raman, col. 2, lines 36-45, teaching the use of "control signals" as "presentation grammar" to control the modality being used to control the presentation. See, Raman, col. 6, lines 30-33, teaching that a control signal may include recognized speech as an input. See, also Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 5, lines 38-46, teaching "navigational methods associated with objects allow the user to browse through the text by taking into consideration the underlying structure of the document." And see, Raman, claim 1, lines 13-15, teaching "presenting the common intermediate representation using a plurality of user communication modalities according to the hierarchical attribute trees." And see, Raman, col. 4, lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar.)

Regarding **claims 9-15**, claims 9-15 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

Regarding **claims 17-23**, claims 17-23 incorporate substantially similar subject matter as claimed in claims 1-8, respectively, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Claims Rejection – 35 U.S.C. 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

8.   Claims 8, 16 and 24 remains rejected under 35 U.S.C. 103(a) as being unpatentable over

Raman as applied to claim 1 above, and further in view of Josephson, (U.S. Patent Publication

2003/0023435 A1), published January 30, 2003 [hereinafter "Josephson"].

Regarding **dependent claim 8**, Raman in view of Josephson teaches:

> *The method of claim 4 wherein the full grammar comprises a multiplicity of*
>
> *grammar elements for the content type, wherein each grammar element includes:*
>
> > *an identifier of a structural element;*
> >
> > *a key phrase for invoking a presentation action; and*
> >
> > *a presentation action identifier representing a presentation action.*

(The key phrase function is inherent in Raman, but not expressly taught. See, Raman, col. 6,

lines 30-33, teaching that a control signal may include recognized speech as an input. See, also

Raman, col. 3, lines 30-34, teaching that the data retriever and the presentor of the system may

be controlled by voice recognized input couple to a speech recognizer. And see, Raman, col. 4,

lines 22-27, teaching speech response to aural presentation of stock data. For each type of speech response, it is inherent that there be an associated grammar and for each grammar that there be an identifier of the object to be acted upon, a signal for the action, and a presentation of the action signaled. In corporation of the grammar elements in a central file or in a separate file for each media type is a design decision between art recognized equivalents, namely placing controls in one or several files. In general, Raman teaches the creation of a structured document for user interaction based on attributes and classification, but it does not expressly teach a key phrase.

Josephson expressly teaches the use of a key phrase for invoking a presentation action. See, Josephson, paragraphs [0191]-[0259].

It would have been obvious to one of ordinary skill in the art at he time of the invention to combine the teachings of Raman and Josephson to result in a user interactive control of a structured document using a list of attributes, classifications (tags), and associated scope.

Both Raman and Josephson are related to the art of user interactions with computers to control document production, including via voice recognition commands, and both use tag, or classification, structured documents.

The suggestion or motivation for combining the references is found in Josephson, discussing the invention as an improvement to "voice-mousing" and control of "select next" type commands, which is one type of navigational control discussed in Raman. See, Josephson, paragraphs [0008]-[0010], and see, Raman, col. 7, lines 5-50.)

Regarding **claims 16 and 24**, claims 16 and 24, incorporate substantially similar subject matter

as claimed in claim 8, and are rejected along the same rationale.

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art

references and any interpretation of the references should not be considered to be limiting in any

way. A reference is relevant for all it contains and may be relied upon for all that it would have

reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

9.   Applicants' arguments filed 3/3/2010 have been fully considered but are not persuasive.

         Applicants argues: <u>Raman does not disclose a parameter type to be used in parsing</u>

         <u>received speech, wherein the parameter type identifies a type of parameter, wherein the</u>

         <u>parameter is received from a user after the key phrase and controls a presentation control</u>

         <u>instruction corresponding to the presentation action that is invoked by the user speaking</u>

         <u>the key phrase.</u>

         However the Examiner Respectfully disagrees: **See column 4, lines 10-30 "In addition,**

         the presentation can momentarily pause on the links so that the user can select the

         link using a voice input unit" further stating "…interact with the forms using

         speech", Raman therefore discloses a parameter type to be used in parsing the

         received speech, for example the received speech is parsed and then the parameter

type identifies a link for selection or a parameter type identifies a form component

for selection and display.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937.

The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Manglesh Patel/
AU 2178
December 2, 2010

	/CESAR B PAULA/
	Primary Examiner, Art Unit 2178